

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant:	Linda G. LEE	Confirmation No.:	3602
Application No.:	10/788,660	Examiner:	Not Yet Assigned
Filing Date:	February 26, 2004	Group Art Unit:	1645
Title:	4,7-DICHLORORHODAMINE DYE LABELED POLYNUCLEOTIDES		

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION  
FILED UNDER 37 C.F.R. 1.53(b)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed May 21, 2004, transmitted herewith are:

- ☒ Transmittal (1 pg.);
- ☒ Fee Transmittal (1 pg.);
- ☒ A copy of the Notice to File Missing Parts dated May 21, 2004;  
Petition for Extension of Time – Three Months (1 pg.);
- ☒ A check in the amount of \$2,288.00 (\$790 for statutory basic filing fee; \$388 for total additional claim fees; and \$130 for late oath or declaration surcharge - \$88 for 1 independent claim and \$300 for multiple dependent claim; \$980 petition for three-months extension of time); and
- ☒ Return postcard.

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-2319 (Account No. A-72077-5/AMP).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: October 20, 2004

By: \_\_\_\_\_

Ann M. Caviani Pease, Reg. No. 42,067

Dorsey & Whitney LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, California 94111-4187  
Telephone: (650) 494-8700  
Facsimile: (650) 494-8771

Customer No. 32940



Express Mail Label No. EV182100076US

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application No.	10/788,660
		Filing Date	February 26, 2004
		First Named Inventor	Linda G. LEE
		Examiner Name	Not Yet Assigned
		Group Art Unit	1645
Total Number of Pages in This Submission	6	Attorney Docket No.	A-72077-5/AMP (470438-92)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached - check in the amount of \$2,288.00	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Request	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition for Extension of Time – 3 months (1 pg.); and self-addressed stamped Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.53(b) (1 pg.)		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Ann M. Caviani Pease, Esq., Reg. No. 42,067 DORSEY & WHITNEY LLP 4 Embarcadero Center, Suite 3400 San Francisco, CA 94111 Telephone: 650-494-8700 Facsimile: 650-494-8771	Customer Number 32940
Signature		
Date	October 20, 2004	

# APPLICATION TRANSMITTAL SHEET (FY 2004)

<b>Complete if Known</b>	<b>EXPRESS MAIL LABEL NO. EV182100076US</b>
Application No.	10/788,660
Filing Date	February 26, 2004
First Named Inventor	Linda G. LEE
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Atty. Docket Number	A-72077-5/AMP (470438-92)

**1. & TRADEMARK METHOD OF PAYMENT (Check One)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  
Deposit Account No.: 50-2319  
Deposit Account Name: DORSEY & WHITNEY LLP

☒ Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 to:  
Deposit Account No.: 50-2319  
Deposit Account Name: DORSEY & WHITNEY LLP

☐ Applicant claims small entity status (see 37 C.F.R. 1.27)

2. ☒ Check Enclosed in the amount of \$2,288.00

2. ☒ Check Enclosed in the amount of \$2,288.00

FEE CALCULATION		
1. BASIC FILING FEE		
Large Entity Fee	Small Entity Fee	Fee Description
160	80	<input type="checkbox"/> Provisional Filing Fee
790	395	<input checked="" type="checkbox"/> Utility Filing Fee
350	175	<input type="checkbox"/> Design Filing Fee
790	395	<input type="checkbox"/> Reissue Filing Fee
		<b>Subtotal (1)</b>
		<b>\$790.00</b>

2. EXTRA* CLAIM FEES					
Number Claims	Prior	Extra	Fee from Below*	Fee Paid	
Total	-	=	x	=	\$
Indep. 1	-	=	x	=	\$88.00
Multiple Dependent Claims		=	x	=	\$300.00
<b>Subtotal (2)</b>					<b>\$388.00</b>

*Calculation of Extra Claim Fees		
Large Entity Fee	Small Entity Fee	<u>Fee Description</u>
18	9	Claims in excess of 20
88	44	Independent claims in excess of 3
300	150	Multiple dependent Claim
88	44	Reissue independent claims over original patent
18	9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES			
Large Entity Fee	Small Entity Fee	Fee Description	Fee paid

50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge – Late non-provisional filing fee or oath	\$130.00
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	

110	55	Extension for reply within first month	
430	215	Extension for reply within second month	
980	490	Extension for reply within third month	\$980.00
1,530	765	Extension for reply within fourth month	
2080	1040	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
340	170	Notice of Appeal	
340	170	Filing a brief in support of an appeal	
300	150	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	

<b>1,370</b>	<b>685</b>	Utility/Reissue Issue Fee (including advance copies)	_____
<b>490</b>	<b>245</b>	Design Issue Fee (inc. advance copies)	_____
<b>790</b>	<b>395</b>	Request for Continued Examination (RCE)	_____
<b>300</b>	<b>300</b>	Publication fee for early, voluntary, or normal publication	_____
<b>300</b>	<b>300</b>	Publication fee for re-publication	_____
<b>110</b>	<b>55</b>	Petition to Revive – unavoidable	_____
<b>1,370</b>	<b>1,370</b>	Petition to Revive – unintentional	_____


OTHER FEE (specify):

<b>Subtotal (3)</b>	
---------------------	--

<b>Total Amount of Payment:</b>	<b>\$1,110.00</b>
---------------------------------	-------------------

**Submitted by:**  
Name: Ann M. Caviani Pease, Reg. No. 42,067 Telephone: (650) 494-8700

DORSEY & WHITNEY LLP	Four Embarcadero Center, Suite 3400 San Francisco, California 94111-4187	Customer Number 32940
----------------------	---	-----------------------

Signature: 	Date: October 20, 2004
--	------------------------

**BEST AVAILABLE COPY**



10-22-04

IFW  
\$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/788,660	02/27/2004	Linda G. Lee	A-72077-5/AMP

Ann M. Caviani Pease  
DORSEY & WHITNEY LLP  
Suite 3400  
Four Embarcadero Center  
San Francisco, CA 94111-4187

CONFIRMATION NO. 3602

FORMALITIES LETTER



\*OC000000012738866\*

Date Mailed: 05/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$376** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1276** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

10/25/2004 MBELETE1 00000013 10788660

02 FC:1051	130.00 OP
03 FC:1001	790.00 OP
04 FC:1201	88.00 OP
05 FC:1203	300.00 OP


- Total additional claim fee(s) for this application is **\$376**

- \$86 for 1 independent claims over 3.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE